

Act (PRA) of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a valid control number. Comments are requested concerning (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Written Paperwork Reduction Act (PRA) comments should be submitted on or before December 9, 2004. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all Paperwork Reduction Act (PRA) comments to Les Smith, Federal Communications Commission, Room 1-A804, 445 12th Street, SW., Washington, DC 20554 or via the Internet to Leslie.Smith@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection(s), contact Les Smith at (202) 418-0217 or via the Internet at Leslie.Smith@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-XXXX.
Title: Rules and Regulations Implementing the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003, CG Docket No. 04-53, FCC 04-194.

Form Number: N/A.

Type of Review: New collection.

Respondents: Business or other for-profit entities; not-for-profit institutions.

Number of Respondents: 11,027,600.

Estimated Time per Response: 1-11 hours.

Frequency of Response:

Recordkeeping; On occasion reporting requirements; third party disclosure.

Total Annual Burden: 115,645,100 hours.

Total Annual Cost: \$37,105,283.

Privacy Impact Assessment: No impact(s).

Needs and Uses: On August 12, 2004, the Commission released an Order,

Rules and Regulations Implementing the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003, CG Docket No. 04-53, FCC 04-194, adopting rules to prohibit the sending of commercial messages to any address referencing and Internet domain name associated with wireless subscriber messaging services, unless the individual addressee has given the sender express prior authorization. The information collection requirements consist of 47 CFR 63.3100 (a)(4), (d), (e) and (f).

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 04-24963 Filed 11-8-04; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Submitted to OMB for Review and Approval

October 29, 2004.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Written comments should be submitted on or before December 9, 2004. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should

advise the contact listed below as soon as possible.

ADDRESSES: Direct all comments to Les Smith, Federal Communications Commission, Room 1-A804, 445 12th Street, SW., Washington, DC 20554 or via the Internet to Leslie.Smith@fcc.gov or Kristy L. LaLonde, Office of Management and Budget (OMB), Room 10236 NEOB, Washington, DC 20503, (202) 395-3087 or via the Internet at Kristy.L.LaLonde@omb.eop.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copy of the information collection(s) contact Les Smith at (202) 418-0217 or via the Internet at Leslie.Smith@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-0313.
Title: Section 76.1701, Political File.
Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents: 5,375.

Estimated Time per Response: 0.25 hours (1.0 hours/cable system).

Frequency of Response:

Recordkeeping.

Total Annual Burden: 5,375 burden hours.

Total Annual Cost: None.

Privacy Impact Assessment: No impact(s).

Needs and Uses: 47 CFR 76.1701 requires every cable television system to keep and permit public inspection of a complete record (political file). The file contains all requests for cablecast time made by or on behalf of candidates for public office, together with an appropriate notation showing the disposition made by the system of such requests, and the charges made, if any, if the request is granted. The disposition includes the schedule of time purchased, when the spots actually aired, the rates charged, and the classes of time purchased. Also, when free time is provided for use by or on behalf of candidates, a record of the free time provided is to be placed in the political file.

OMB Control Number: 3060-0968.

Title: Slamming Complaint Form.

Form Number: FCC 501.

Type of Review: Revision of a currently approved collection.

Respondents: Individuals or households; Business or other for-profit entities; Not-for-profit institutions.

Number of Respondents: 3,600.

Estimated Time per Response: 15 minutes.

Frequency of Response: On occasion reporting requirement.

Total Annual Burden: 900 hours.

Total Annual Cost: None.
Privacy Impact Assessment: Yes.
Needs and Use: FCC Form 501, Slammer Complaint Form, is designed to assist consumers in filing slammer complaints with the Commission. The form is devised to ensure complete and efficient submission of necessary information to process slammer complaints. FCC Form 501 remains available to consumers electronically and in hard copy. The Commission will use this information to provide redress to consumers and to act against companies engaged in this illegal practice as soon as possible.

OMB Control Number: 3060-0519.
Title: Rules and Regulations Implementing the Telephone Consumer Protection Act (TCPA) of 1991.
Form Number: N/A.

Type of Review: Revision of a currently approved collection.
Respondents: Individuals or households; Business or other for-profit entities; Not-for-profit institutions.
Number of Respondents: 54,497.

Estimated Time per Response: 0.004 hours (15 seconds)–3 hours (avg).
Frequency of Response: Recordkeeping; On occasion reporting requirement; Third Party disclosure.

Total Annual Burden: 1,851,600 hours.
Total Annual Costs: \$4,360,500.
Privacy Impact Assessment: Yes.

Needs and Uses: On March 11, 2003, the Do-Not-Call Implementation Act (Do-Not-Call Act) was signed into law requiring the Commission to issue a

final rule in its ongoing TCPA proceeding within 180 days of March 11, 2003, and to consult and coordinate with the Federal Trade Commission (FTC) to “maximize consistency” with the rule promulgated by the FTC in 2002. On March 25, 2003, the FCC released a *Further Notice of Proposed Rulemaking (FNPRM)* seeking comment on the Commission’s requirements under the Do-Not-Call Act. On July 3, 2003, the Commission released a *Report and Order (2003 TCPA Order)*, the Commission revised the current TCPA rules and adopted new rules to provide consumers with several options for avoiding unwanted telephone solicitations. The Commission established a national do-not-call registry for consumers who wish to avoid most unwanted telemarketing calls. This national do-not-call registry will supplement the current company-specific do-not-call rules for those consumers who wish to continue requesting that particular companies not call them. The FCC also adopted a new provision to permit consumers to provide permission to call to specific companies by an express written agreement. The TCPA rules exempt from the “do-not-call” requirements nonprofit organizations, companies with whom consumers have an established business relationship, and calls to persons with whom the telemarketer has a personal relationship. Any company, which is asked by a consumer, including an existing customer, not to

call again must honor that request for five (5) years.

The Commission retains the current calling time restrictions of 8 a.m. until 9 p.m. On September 21, 2004, the Commission released an *Order (2004 Safe Harbor Order)*, establishing a limited safe harbor in which persons will not be liable for placing autodialed and prerecorded message calls to numbers ported from a wireline service within the previous 15 days. The Commission also *amended* its existing national do-not-call registry safe harbor to require telemarketers to scrub their lists against the do-not-call database every 31 days.

Federal Communications Commission.
Marlene H. Dortch,
Secretary.
 [FR Doc. 04-24964 Filed 11-8-04; 8:45 am]
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FEDERAL COMMUNICATIONS COMMISSION

Sunshine Act Meeting; Open Commission Meeting, Tuesday, November 9, 2004

November 2, 2004.

The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Tuesday, November 9, 2004, which is scheduled to commence at 9:30 a.m. in Room TW-C305, at 445 12th Street, SW., Washington, DC.

Item No.	Bureau	Subject
1	International	The International Bureau will present a report on the recently completed ITU World Telecommunication Standardization Assembly (WTS) and the Commission’s participation in the conference.
2	Wireless Telecommunications	<i>Title:</i> The 4.9 GHz Band Transferred from Federal Government Use (WT Docket No. 00-32). <i>Summary:</i> The Commission will consider a Memorandum Opinion and Order regarding changes to the rules applicable to the 4.940-4.990 GHz Band.
3	Wireline Competition	<i>Title:</i> Local Telephone Competition and Broadband Reporting (WC Docket No. 04-141). <i>Summary:</i> The Commission will consider a Report and Order regarding modifications to and extension of its Form 477 local competition and broadband data gathering program.
4	Wireline Competition	<i>Title:</i> Vonage Holdings Corporation Petition for Declaratory Ruling Concerning an Order of the Minnesota Public Utilities Commission (WC Docket No. 03-211). <i>Summary:</i> The Commission will consider a Memorandum Opinion and Order concerning Vonage’s Petition for Declaratory Ruling regarding its DigitalVoice service in Minnesota.

Additional information concerning this meeting may be obtained from Audrey Spivack or David Fiske, Office of Media Relations, (202) 418-0500; TTY 1-888-835-5322. Audio/Video coverage of the meeting will be broadcast live over the Internet from the FCC’s Audio/Video Events Web page at <http://www.fcc.gov/realaudio>.

For a fee this meeting can be viewed live over George Mason University’s Capitol Connection. The Capitol Connection also will carry the meeting live via the Internet. To purchase these services call (703) 993-3100 or go to <http://www.capitolconnection.gmu.edu>. Audio and video tapes of this meeting can be purchased from CACI

Productions, 14151 Park Meadow Drive, Chantilly, VA 20151, (703) 679-3851.

Copies of materials adopted at this meeting can be purchased from the FCC’s duplicating contractor, Best Copy and Printing, Inc. (202) 488-5300; Fax (202) 488-5563; TTY (202) 488-5562. These copies are available in paper format and alternative media, including large print/type; digital disk; and audio